

Serial No.: 09/857,669
Group Art Unit: 1645

Remarks

Claims 28-54 were pending. Claims 28-54 were subject to a seven (7) way Restriction Requirement.

Claims 28-54 have been cancelled and replaced with new claims 55-62 to more clearly recite the present invention. Claims 55-62 are directed to substantially the same subject matter as former claims 28-54. Support for this amendment is apparent. Thus, no new matter is added.

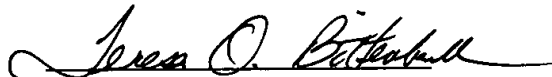
Election/Restriction

Applicants hereby elect to prosecute Group I drawn to a polypeptide. This election is made without traverse. While the election of Group I is without traverse, Applicants reserve the right to traverse restriction requirements between the other asserted claim groups.

Closing Remarks

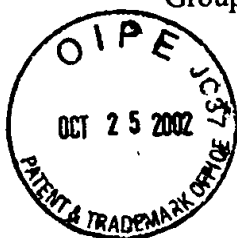
• Entry of the Response and Amendment and allowance of the pending claims are respectfully requested.

Respectfully submitted,



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Claims following entry of amendment mailed October 14, 2002

55. An isolated polypeptide comprising a member selected from the group consisting of

- (a) an amino acid sequence matching SEQ ID NO:2 or SEQ ID NO:4;
- (b) an immunogenic polypeptide comprising a fragment sequence of at least 15 amino acids that matches an aligned contiguous segment of SEQ ID NO:2 or SEQ ID NO:4;

wherein the isolated polypeptide, when administered to a subject in a suitable composition which can include an adjuvant, or a suitable carrier coupled to the polypeptide, induces an antibody or T-cell immune response to a polypeptide having the sequence of SEQ ID NO:2 or SEQ ID NO:4;

56. The isolated polypeptide of claim 55, wherein the polypeptide is according to (a).

57. The isolated polypeptide of claim 55, wherein the polypeptide is according to (b).

58. The isolated polypeptide of claim 55, wherein the immunogenic fragment of (b) comprises at least 20 amino acids.

59. The isolated polypeptide of claim 55, wherein the isolated polypeptide consists of SEQ ID NO:2 or SEQ ID NO:4.

60. A fusion protein comprising the isolated polypeptide of Claim 55.

61. An immunogenic composition comprising the polypeptide of Claim 55 and a pharmaceutically acceptable carrier.

62. The immunogenic composition of Claim 61, wherein the vaccine comprises at least one other *Moraxella catarrhalis* antigen.



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/857,669	
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	First Named Inventor	Ruelle, Jean-Louis	
	Group Art Unit	1645	
	Examiner Name	Baskar, P.	
Total Number of Pages in This Submission		Attorney Docket Number	BM45339

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Firm or Individual name	Teresa O. Bittenbender, Reg. #47,425
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Date	October 14, 2002

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